IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1950 OF 2006

Gaurav Dhroov Co.op.Hsg.
Soc. Ltd., ...Petitioner.
Versus
Municipal Corporation of Greater
Mumbai & 4 Ors. ...Respondents.

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Ms.Sumedha Rao, Advocate for the Petitioner.
Mr.Rajeev Narulla,Advocate for Respondent No.5.
Mrs.P.A.Purandhare, Advocate for Respondent Nos.1 to 4.

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CORAM : **F.I.REBELLO AND SMT.V.K.TAHILRAMANI,JJ.**

DATED : **AUGUST 11, 2006.**

P.C.:

1. By order of 18th July, 2006 subject to what is set out therein, the building has been regularised. The builder in terms of Para-5 has to submit documents of TDR deduction within 30 days from the date of order i.e. 18th July, 2006. In terms of the last paragraph the amounts of premium have been directed to be paid within 30 days from the compliance of Sr.Nos.1 to 5. The builder-Respondent No.5 is directed to comply with

directions Nos.1 to 5 in terms of order dated 18th July, 2006 within 30 days from 18th July, 2006 and thereafter to pay the premium within 30 days thereafter as set out. If the developer does not pay the premium, liberty to the petitioner to apply to this Court.

2. The only other issue is regarding the water supply. As the building can be regularised the petitioner in the ordinary course would be entitled to water supply. However, as some time may pass the petitioner prays that water supply be granted on humanitarian basis as that is permissible. On behalf of the petitioner learned Counsel makes a statement that they are willing to pay whatever charges which are payable for giving water connection on humanitarian basis.

3. On the petitioner paying such amount as demanded by Respondent No.1 corporation, the Respondents are directed to give water supply to the petitioner on humanitarian basis till regular water supply is given. Needless to say that the

Developer will not carry out any further construction till regularisation is carried out in terms of orders at Sr.Nos.1 to 5 and premium is paid in terms of letter dated 18th July, 2006 of the Municipal Commissioner.

4. With the above observation, Petition stands disposed of.

[F.I.REBELLO,J.]

[SMT.V.K.TAHILRAMANI,J.]